

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 1, 1982


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3:00 p.m. of that same day at the Delta City Recorders office. An inspection trip may be arranged by appointment with Neil Forster, Public Works Foreman. The day set for inspections is March 18, 1982. Bids will be awarded at the City Council meeting March 9, 1982

Mr. Quick suggested that the grant offered to the City by the Utah Energy Office could be used by his office to study city ordinances, particularly the mobile home ordinance. Councilman Don Bird MOVED to rescind the motion to reject the grant offer from The Utah Energy office and further moved that John Quick put together a proposal. Max Bennett SECONDED. The motion carried.

The Mayor asked if there was any further business. There being none, Councilman Max Bennett MOVED to adjourn. Councilman Don Bird SECONDED. The meeting adjourned at 10:15 p.m.


Grant S. Nielson, Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 8, 1982

PRESENT:

Grant S. Nielson
Vance Bishop
Max Bennett
Don Bird
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor and presiding
City Administrator
Council Member
Council Member
Council Member
Council Member
Council Member

OTHERS PRESENT:

Warren Peterson
Neil Forster
Pat Davies

City Attorney
Public Works Foreman
City Clerk

John Wiser and daughter
Carl Sudbury
Raphael Mecham
Roger Stowell
Robin Pearson
Loy and Althea Crapo

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Mayor Grant Nielson called the meeting to order at 7:00 p.m.
Pat Davies acted as secretary

The Mayor stated the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazetter and the local radio station KNAK, and to each member of the governing body by hand delivery of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a Regular City Council Meeting held March 1, 1982 were approved with one correction.

ACCOUNTS PAYABLE

The accounts payable were presented by Pat Davies and reviewed by the City Council. After a short discussion on a charge by Continental for a Zenith number which is no longer in service Council Member Ruth Hansen MOVED to approve the accounts payable excepting the Continental charge. Councilman Max Bennett SECONDED the motion which carried unanimously.

APPLICATION FOR BEER LICENSE CHANGE

Mr. Edward Harris, Rancher Cafe owner, requests a change in his Class "C" Beer License to a Class "B" Beer License. The Class "B" license would allow customers in the Rancher Motel to purchase beer in the cafe and carry it off the cafe premises. His present Class "C" license allow only on the premises consumption (in the cafe). There was discussion and questions to City Attorney Warren Peterson about the legal age of persons selling beer, carry out beer sales and the charges for the license. Councilman Max Bennett MOVED to issue a Class "B" Beer license to the Rancher Cafe. Councilman Willis Morrison SECONDED the motion. The motion carried.

CITY PARK OPTIONS AND PROPOSALS

Council Member Willis Morrison reviewed with the City Council several park options. Several areas under consideration were pointed out on a city map and the merits of each area discussed. It was pointed out that the IPA has established two sites, one for picnic type uses and one for baseball, softball type activities. The Bunker Hill proposal and Eldro Jeffery properties were discussed. Mr. Bishop mentioned that the County Commissioners would like to meet with the City Council Members on the parks issue. The need for additional park area on the south side of town was noted and also the importance of developing parks where water, etc. is available for maintenance. Also discussed was the need for a recreation director. Councilman Willis Morrison made a MOTION to have the Mayor, City Administrator and Don Dafoe pursue various possibilities for park areas in the south end of town and report to Council. Councilman Bennett SECONDED and the motion carried unanimously.

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RESOLUTION FOR PRELIMINARY APPROVAL OF "ECOTEK ANNEXATION"

City attorney Peterson gave a summary of a proposed resolution which would give preliminary approval on the annexation of the Delta Milling Company property under the petition submitted by National Landmark and Development Company. The resolution had been previously mailed to the council members. He explained several conditions contained in the resolution that must be met prior to the annexation, including a requirement that National Landmark close the purchase of the property.

The representatives of National Landmark explained that there were three (3) conditions to their purchase of the property through the bankruptcy court. They were that the property be annexed by the City, that it be approved for development by the City and that the City issue an inducement resolution for an industrial revenue bond. They stated that it would not be possible to complete the arrangement because the annexation requirement that National Landmark acquire title conflicted with the condition in their purchase contract that the City approve an industrial revenue bond, unless the City could issue an inducement resolution on an industrial revenue bond prior to annexation. Mr. Peterson responded that when this question had arisen before, he had asked for their bond attorney to provide an opinion as to whether the inducement resolution could be given prior to final annexation of the property. He said that it would also be necessary to have the City bond attorney review the opinion. Mr. Peterson stated that the City did not have jurisdiction to issue industrial revenue bonds unless the annexation of the property was completed. A discussion was held whether the sequence of annexation and the passage of the inducement resolution could be structured to assure that all conditions would be met. The National Landmark Company representatives asked whether there was a possibility of making the annexation contingent upon their acquisition of the property. Another alternative that was discussed was having all persons holding an interest in the property join in the annexation request, then have National Landmark Company seek an inducement resolution after the annexation had been completed with the present owners of the property acting as the annexation petitioner. The National Landmark representatives asked whether the annexation fee paid at the time of their petition covered the costs of annexation which they would eventually be required to bear. They were told that it did cover part of those costs.

After the discussion, Councilmember Ruth Hansen MOVED to adopt Resolution #82-58 a Resolution accepting the petition for annexation of territory into the corporate limits of the City of Delta, Utah as submitted by National Landmark and Development Company. The motion was SECONDED by Councilmember Don Dafoe. The roll call vote was as follows:

Don Bird	Aye
Ruth Hansen	Aye
Max Bennett	Aye
Willis Morrison	Aye

PROPERTY OPTIONS FOR CITY OFFICE BUILDING

Mayor Nielson asked the City Administrator to give some background information on the situation concerning a building site for a new city office building. Mr.

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Bishop explained that the Outdoor Recreation people for the state contract with the federal government to administer Bureau of Outdoor Recreation monies. This is a grant program to the state to administer state parks. The state often passes the money through to the cities but has strings attached to the monies. The city used BOR money on two separate occasions. First, was in the acquisition of the park property and second, when the sprinkling system was installed. Parts of the park property on main street are unencumbered by BOR loans. To be permitted to use the encumbered park property the city must acquire other properties dedicated for park purposes and develop to the same level as the existing park. The city would then have the 2 acres required for the city office complex. Mr. Bishop told the council that the people in the state office had indicated a willingness to work with the city to transfer the encumbrances to a suitable area. After discussion on the hospital property and space requirements of several agencies who have indicated a desire to rent office space from the city it was suggested that Mr. Bishop continue to pursue all avenues for a city building location. No action was taken by the council.

OUT OF STATE TRAVEL REQUEST - SCOTT CORRY

Officer Scott Corry submitted a request to attend a Homicide Investigation school to be held in Cheyenne, Wyoming on May 10-14, 1982. After studying all facets of the request, Vance Bishop, Max Bennett and Roy Wood recommended the council deny the request. Council Member Bennett MOVED the request of Scott Corry be denied and suggested a school could be found which would be closer to Delta and require less time away from the job. Councilman Bird SECONDED the motion and it carried unanimously.

LOY CRAPO: BUILDING PERMIT FOR GARAGE AND ROCK SHOP

Mayor Nielson asked Mr. Crapo to give the council his interpretation of the procedure from the beginning to where it stands at the present. Mr. Crapo said that he wished to clarify the point that his business would not be a rock shop; he manufactures some items, but would not be a retail sales outlet. He said that late last summer he was working with Neil Forster and Lee Roper trying to get a building for his small business. He had originally planned a larger building but they (Forster and Roper) felt maybe it was too big for a residential area. He said they told him it would have to be an in home business to comply with city zoning ordinances. He drew several plot plans at their request and finally came up with one they agreed to. They told him they'd check with Ray Valdez and then they told him it was okay. He stated that Neil told him Ray was going to be out of town but he missed Ray and the permit wasn't issued at that time. This was in December, he said. He further stated that he talked to Mr. Valdez and Mr. Valdez said he was leaving, but to go ahead and start to build. But then, winter came and he said he tried to catch Ray, but couldn't and then he got busy and started the building when the weather broke. He thought there would be no problems with a building permit since he felt he had a verbal commitment. Discussion followed concerning a 25' X 40' concrete slab which had been poured, dimensions of the building, home occupation qualification, noise generated by the machinery and how the surrounding neighbors view the rock shop. Council Member Willis Morrison MOVED to table the issue and be put on the agenda at the next City Council meeting for time to review further. Councilman Bird SECONDED the motion which carried unanimously.

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DISCUSSION ON FOURTH NORTH STREET

The council members engaged in a lengthy discussion of the disposition of 4th North Street between Pendrays and Robert Harris. Councilman Morrison has been doing a study of the problem and presented some possible solutions. Councilman Bennett MOVED that the Mayor designate an individual to investigate further. Councilman Don Bird SECONDED the motion which carried unanimously. The Mayor then appointed Willis Morrison to continue his study of the 4th North Street problem.

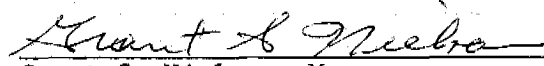
OTHER BUSINESS

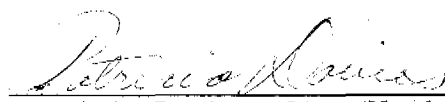
The following items were discussed with no action by the council:

1. Possible fire code violation in trailer and RV parks.
2. Appointing a chairman for the 4th of July celebration.
3. Changing council meeting night.
4. Annexation around Delta Gas.

There being no other business to discuss, Councilman Max Bennett moved to adjourn. Councilman Willis Morrison SECONDED and the motion carried.

The meeting adjourned at 10:45 p.m.


Grant S. Nielson, Mayor


Patricia Davies, City Clerk

A SPECIAL MEETING OF THE CITY COUNCIL HELD IN CONJUNCTION WITH THE PLANNING AND ZONING COMMISSION HELD MARCH 10, 1982

PRESENT:

City Council

Mayor Grant S. Nielson
Willis Morrison
Ruth Hansen
Don Dafoe

Planning & Zoning Commission

Jack Fowles, Chairman
Roland Dutson
Sherry Lewis
Ray Little
Pat Davies
Bruce Taylor
Rochelle Watts
Gayle Bunker

OTHERS PRESENT:

Ray Valdez, City Inspector
Warren Peterson, City Attorney
John Quick, City Engineer
Lilli Dawson, City Treasurer

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